

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:09CR3062
)	
Plaintiff,)	
)	
v.)	ORDER ON DEFENDANT'S UNOPPOSED
)	MOTION TO CONTINUE THE DEADLINE
)	FOR FILING A VARIANCE MOTION AND
GEOFFERY ESSAY,)	TENTATIVE FINDINGS
)	
Defendant.)	
_____)	

The Defendant's Statement Regarding the Presentence Investigation Report, filing 43, indicates that the defendant "has no objection to the manner in which the probation office has calculated his tentative sentence under the guidelines" but requests to submit documentary evidence at sentencing.

Accordingly, I tentatively find that the Presentence Investigation Report is true and accurate. Objections may be made at the time of the sentencing and documentary evidence may be submitted but no oral evidence shall be received.

In the Defendant's Unopposed Motion to Continue the Deadline for Filing a Variance Motion and Support Brief, filing 44, defense counsel requests an extension of time until October 20, 2009, to file and serve a variance motion and supporting brief.

IT IS ORDERED that the Defendant's Unopposed Motion to Continue the Deadline for Filing a Variance Motion and Supporting Brief, filing 44, is granted. The deadline for filing and serving a variance motion and supporting brief is extended to October 20, 2009.

Dated October 13, 2009.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge